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EXAMINER

MCCORMICK, GABRIELLE A

ART UNIT	PAPER NUMBER
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3629

MAIL DATE	DELIVERY MODE
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03/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/602,707	Applicant(s) KAPADIA ET AL.	
	Examiner GABRIELLE MCCORMICK	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the amendment filed on January 31, 2008.
2. Claims 1, 8, 22 and 25 have been amended.
3. Claims 1-25 are currently pending and have been examined.

Previous Claim Rejections - 35 USC § 112

4. Claims 1, 8, 22 and 25 have been amended to overcome the previous rejections. The rejections are withdrawn.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1, 12-14 and 19-22** are rejected under 35 U.S.C. 102(e) as being anticipated by Brodersen et al. (US Pat. No. 6,850,895 hereinafter referred to as "Brodersen").
7. **Claim 1:** Brodersen discloses
 - *inputting a sales lead, having lead information, to a lead processing portion;* (col. 1; lines 56-58: "sales leads" and col. 3; lines 1-2 where the task is received as input)
 - *performing a decisioning process relating to assignment of the sales lead, the decisioning process determining the recipient of the sales lead for working the sales lead, wherein at*

least a call center is included in the decisioning process as a potential recipient; (Figure 1: Brodersen teaches a call center (“Siebel Call Center” – top left hand corner) and Assignment Rules; col. 2; lines 57-65: “assignment manager method”. Giving this claim the broadest reasonable interpretation, the Examiner is applying the art of Brodersen, in which the assignment function to a given agent takes places in the realm of a call center. The decisioning process is the role undertaken by Brodersen’s “Assignment Manager” that performs matching of tasks to individuals or teams of individuals (col. 5; lines 56-57: which can also be interpreted as a call center) based on assignment rules and criteria. As disclosed in the Figures, the Siebel Call Center is the environment of the decisioning process and thereby a recipient of tasks (leads). Further evidence of a call center as a recipient is found in at least Fig. 8 where the employee job title is “Call Center Agent” and the numerous references to CTI (Computer Telephony Integration) which is a means of processing telephone calls used by call centers.)

- *outputting information regarding the sales lead from the lead processing portion to the recipient of the sales lead for access and working of the sales lead by the recipient.* (col. 1; lines 52-55: the outputting is inherent in the ability of a sales rep to “effectively respond to potentially revenue-generating opportunities.” Col. 8; lines 26: “server” provides the network environment).

8. **Claim 12:** Brodersen discloses the method of claim 1. Brodersen further discloses *sales agent processing*. (col. 7; lines 9-27; Note: the employee is understood to be a sales agent when the task is a lead. In Brodersen, the assignment manager working in the call center environment further processes the tasks for assignment to a given individual or team. The sales agent processing is understood to be the various assignment criteria and rules used by the assignment manager to choose the final recipient of the task. Sales agent processing is also disclosed as the scoring of each qualified candidate (col. 3; lines 15-16) In Fig. 8, the employee job title is “Call Center Agent” thus agent processing is performed where the agent is matched to a task. The

Term "Call Center Agent" is synonymous with "sales agent" as it is inherent in the function of the call center agent to create sales when the task is sales lead. (col. 1; line 56-58)).

9. **Claims 13, 14 and 19:** Brodersen discloses *transmitting the lead information over the network environment to a lead distribution portion, the lead distribution portion being a web based system; and accessing the lead distribution portion by a sales agent, to obtain information regarding the sales lead, using an agent processor, the sales agent being the recipient.* (col. 15; lines 39-51: an agent looks accesses an opportunity (lead) on-line (Web-based; Internet). The Assignment Manager is the distribution portion that assigns (distributes) tasks (leads) to agents. Brodersen also discloses that the assignment rules are applied to "campaigns" (col. 7; line 32), which are a collection of leads.
10. **Claim 20:** Brodersen discloses matching lead information based on assignment rules that include a "territory" rule. (col. 7; lines 14-27). Brodersen also discloses that the assignment rules are applied to "campaigns" (col. 7; line 32), which are a collection of leads.
11. **Claim 21:** Brodersen discloses receiving tasks as input (col. 3; line 2). In col. 8; lines 24-26, Brodersen discloses that assignment (of resources to tasks) may take place upon "synchronization with the server." It is inherent that when the client and server link to make assignments, that the task data must inherently be present. The "client" is therefore the *data entry facility*.
12. **Claim 22:** Brodersen discloses a *computer-implemented system* (col. 4; lines 23-29)
- *a lead processing portion into which a plurality of sales leads are input, the sales leads each having lead information, the lead processing portion performing a decisioning process relating to assignment of the sales leads, the decisioning process determining the recipient of each of the sales lead for working the sales lead;* (col. 1; lines 56-58: "sales leads" and col. 3; lines 1-2 where the task is received as input and assignment rules; col. 2; lines 57-65: "assignment manager method".)
 - *a call center, the call center being included in the decisioning process as a potential recipient;* (Figure 1: Brodersen teaches a call center ("Siebel Call Center" – top left hand corner) Giving

- this claim the broadest reasonable interpretation, the Examiner is applying the art of Brodersen, in which the assignment function to a given agent takes places in the realm of a call center. The decisioning process is the role undertaken by Brodersen's "Assignment Manager" that performs matching of tasks to individuals or teams of individuals (col. 5; lines 56-57: which can also be interpreted as a call center) based on assignment rules and criteria. As disclosed in the Figures, the Siebel Call Center is the environment of the decisioning process and thereby a recipient of tasks (leads). Further evidence of a call center as a recipient is found in at least Fig. 8 where the employee job title is "Call Center Agent" and the numerous references to CTI (Computer Telephony Integration) which is a means of processing telephone calls used by call centers.)
- *an agent processor in communication with an agent, the agent being included in the decisioning process as a possible recipient;* (col. 7; lines 9-27. Note: the employee is understood to be a sales agent when the task is a lead. In Brodersen, the assignment manager working in the call center environment further processes the tasks for assignment to a given individual or team. The sales agent processing is understood to be the various assignment criteria and rules used by the assignment manager to choose the final recipient of the task. Sales agent processing is also disclosed as the scoring of each qualified candidate (col. 3; lines 15-16) In Fig. 8, the employee job title is "Call Center Agent" thus agent processing is performed where the agent is matched to a task. The Term "Call Center Agent" is synonymous with "sales agent" as it is inherent in the function of the call center agent to create sales when the task is sales lead. (col. 1; line 56-58)). Note: The "possible" recipient is understood to be synonymous with "potential" recipient.
 - *the lead processing portion determining the recipient of the sales lead;* (col. 3; lines 61-64)
 - *the lead processing portion outputting information regarding each sales lead from the lead processing portion to the recipient of the sales lead for access and working of the sales lead by the recipient.* (col. 1; lines 52-55: the outputting is inherent in the ability of a sales rep to "effectively respond to potentially revenue-generating opportunities.").

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. **Claims 2-7 and 23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Brodersen et al. (US Pat. No. 6,850,895 hereinafter referred to as “Brodersen”) in view of Business Wire (“MarketSoft’s eLeads Wins Call Center Solutions Editors’ Choice Award”. Business/Technology Editors. Business Wire. New York: Aug. 25, 1999. pg. 1) in view of Pauliks et al. (US Pub. No. 2003/0028507, hereafter referred to as “Pauliks”).
15. **Claims 2, 6 and 23:** Brodersen discloses *a plurality of sales leads* (col. 1; lines 56-57: “Proper assignment means objects...sales leads”); at least a portion of leads are *assigned to a call center* (Figure 1 discloses that the assignment manager is operating in a call center environment); and *a wave number* (col. 12; lines 2-13 where “Batch ID” (*wave number*) determines the wave based on the “Object ID” (*lead*). It is inherent that batches are assigned at different times, therefore resulting in an ordered assignment of the tasks as a result of subsequent batches. In col. 7; lines 56-57, Brodersen discloses assignments scheduled to take place on a periodic basis.)
16. Brodersen does not explicitly disclose that the wave number determines the order in which the leads are assigned.
17. Business Wire, however, discloses eLeads allows sales teams to “accurately assign, prioritize and route leads from multiple sources to multiple destinations” (para. 7). The term, prioritize, represents the sequential assignment, such as a first assignment followed by a second assignment.
18. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included prioritizing leads, as disclosed by Business Wire, in the system of Brodersen for

the motivation of increasing follow-up on leads by getting “the right, qualified leads to the right people at the right time”. (Business Wire; para. 6).

19. Pauliks teaches a method for assigning a priority to a record by querying a priority assignment rules database to match the data in the attribute fields in the rule database with the record. (P[0003]) and any attribute can be included in the rule database. “The rule attributes should be selected from attributes found in the customer demand files that categorize the demands.” (P[0012]). Thus, Pauliks discloses assigning a priority based on the attributes of the demand record. This is equivalent to associating leads (demand record) with a wave number (priority (P[0013])) in order to determine the order in which the leads will be assigned. Pauliks also teaches that “it is possible to group customers or demand time frames into general categories in terms of prioritization.” (P[0002]). Thus, Pauliks discloses assignment of a priority to a group.
20. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included assigning a priority to a group, as disclosed by Pauliks, in the system of Business Wire for the motivation of saving priority assignment planner time by grouping the leads. (Pauliks; P[0002]).
21. It also would have been obvious to one of ordinary skill in the art at the time of the invention to have included assigning a priority to a group, as disclosed by Pauliks, in the system of Brodersen for the motivation of getting “the right, qualified leads to the right people at the right time”. (Business Wire; para. 6).
22. **Claims 3 and 4:** Brodersen discloses assigning “all unassigned (i.e., *new*) opportunities” on a periodic basis (col. 7; lines 65-67) and submitting batches of tasks when an employee is promoted and their tasks need to be reassigned (i.e., previously worked lead) (col. 15; lines 53-56). An unassigned opportunity and a previously worked lead are examples of lead types.
23. **Claim 5:** Brodersen discloses differing categories of tasks (col. 8; lines 15-19: “all unassigned service requests” (A) and “all service requested assigned to a terminated employee” (B).) Brodersen does not disclose the names, A-waves and B-waves.

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24. However, these differences are only found in the **nonfunctional descriptive data** and are not functionally involved in the steps recited. **The assignment of tasks would be performed regardless of wave or batch name.** Thus, this descriptive data will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).
25. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included A-waves and B-waves because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation batch identification does not patentably distinguish the claimed invention.
26. **Claim 7:** Brodersen discloses *determining if a particular sales lead has been assigned to a recipient in a prior period of time; and excepting the particular sales lead from assigning if the particular sales lead has been assigned to the recipient in the prior period of time.* (col. 5; line 67 – col. 6; line 3)
27. **Claims 8-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Brodersen et al. (US Pat. No. 6,850,895 hereinafter referred to as “Brodersen”) in view of Casselman et al. (US Pat. No. 5,390,243 hereinafter referred to as “Casselman”).
28. **Claims 8, 9, 10 and 11:** Brodersen discloses *at least a portion of leads are assigned to a call center* (Figure 1 discloses that the assignment manager is operating in a call center environment therefore all the leads are controlled by the call center). Brodersen discloses a maximum workload threshold for individual candidates for task assignment (col. 3; lines 44-46). Brodersen does not disclose applying this threshold as assigned by a human sales management person with a corresponding set of rules to call center as a criteria for assignment of leads (and thereby serving to *qualify or disqualify a particular call center from being a potential recipient of sales leads.*)
29. Casselman, however, discloses setting threshold levels to determine whether calls should be shifted between various call centers based on the telemarketer’s (i.e. *human*) selection as to what

percentage of false alarms or false accepts **he or she** is willing to accept. (col. 2; lines 21-27; resulting in the qualify/disqualify of a center). In col. 4; lines 3-15, a “call load rate” is used to derive the number of calls that should be offered to meet a performance objective (establishes a *cap value*) and the equation provides the *rules* of the cap value.

30. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a threshold and rules for balancing service level among call centers, as disclosed by Casselman, in the system disclosed by Brodersen, for the motivation of routing leads quickly and seamlessly to the team who are responsible for follow-up such that potentially revenue generating opportunities are not missed. (Brodersen; col. 1; lines 46-55). Using a workload threshold is a means of controlling the expected response time to a task.
31. Casselman does not disclose that the human is a *sales management person*.
32. However, this difference is only found in the **nonfunctional descriptive data** and is not functionally involved in the steps recited. **The threshold would be assigned regardless of job position of the decision maker.** Thus, this descriptive data will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).
33. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a sales management person because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of job titles does not patentably distinguish the claimed invention.
34. **Claims 15-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Brodersen et al. (US Pat. No. 6,850,895 hereinafter referred to as “Brodersen”) in view of Melchione et al. (US Pat. No. 5,966,695 hereinafter referred to as “Melchione”).
35. **Claim 15, 16, 17 and 18:** Brodersen discloses the method of claim 13. Brodersen does not disclose *outputting information regarding activities of the sales agent, at least one of a daily,*

weekly and monthly schedule of appointments or worked-on lead information or confirmation of a sale of the lead.

36. Melchione, however, discloses a “sales process function of the lead management system” (col. 33; lines 59-60) that includes a “lead follow-up features...displays all scheduled appointments and events by date and time” (col. 33; lines 65-67); contact history and customer notes (col. 34; line 3); “campaign notes are entered by the person working the lead on an “endless” note pad” that stay with the lead (col. 34; lines 27-30) and sales closing information (col. 34; lines 31-36).
37. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included various contact documentation and calendar features, as disclosed by Melchione, in the system disclosed by Brodersen, for the motivation of tracking the progress of the working of a lead. When the lead is converted to a sale, a sales tracking component provides revenue accounting, which in turn provides a valuation of the banker (agent) to the financial institution. (Melchione; col. 36; lines 5-10).
38. **Claims 24-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Brodersen et al. (US Pat. No. 6,850,895 hereinafter referred to as “Brodersen”) in view of Business Wire (“MarketSoft’s eLeads Wins Call Center Solutions Editors’ Choice Award”. Business/Technology Editors. Business Wire. New York: Aug. 25, 1999. pg. 1) in view of Pauliks et al. (US Pub. No. 2003/0028507, hereafter referred to as “Pauliks”) in further view of Casselman et al. (US Pat. No. 5,390,243 hereinafter referred to as “Casselman”).
39. **Claim 24:** Brodersen/Business Wire/Pauliks disclose the system of claim 23. Brodersen discloses a maximum workload threshold for individual candidates for task assignment (col. 3; lines 44-46). Brodersen does not disclose applying this threshold with a corresponding set of rules to call center as a criteria for assignment of leads.
40. Casselman, however, discloses setting threshold levels to determine whether calls should be shifted between various call centers based on the telemarketer’s selection as to what percentage of false alarms or false accepts he or she is willing to accept. (col. 2; lines 21-27). In col. 4; lines

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3-15, a “call load rate” is used to derive the number of calls that should be offered to meet a performance objective (establishes a *cap value*) and the equation provides the *rules* of the cap value.

41. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a threshold and rules for balancing service level among call centers, as disclosed by Casselman, in the system disclosed by Brodersen, for the motivation of routing leads quickly and seamlessly to the team who are responsible for follow-up such that potentially revenue generating opportunities are not missed. (Brodersen; col. 1; lines 46-55). Using a workload threshold is a means of controlling the expected response time to a task.

42. **Claim 25:** Brodersen discloses

- *inputting a sales lead, having lead information, to a lead processing portion;* (col. 1; lines 56-58: “sales leads” and col. 3; lines 1-2 where the task is received as input)
- *performing a decisioning process relating to assignment of the sales lead, the decisioning process determining the recipient of the sales lead for working the sales lead, wherein at least a call center is included in the decisioning process as a potential recipient;* (Figure 1: Brodersen teaches a call center (“Siebel Call Center” – top left hand corner) and Assignment Rules; col. 2; lines 57-65: “assignment manager method”. Giving this claim the broadest reasonable interpretation, the Examiner is applying the art of Brodersen, in which the assignment function to a given agent takes places in the realm of a call center. The decisioning process is the role undertaken by Brodersen’s “Assignment Manager” that performs matching of tasks to individuals or teams of individuals (col. 5; lines 56-57: which can also be interpreted as a call center) based on assignment rules and criteria. As disclosed in the Figures, the Siebel Call Center is the environment of the decisioning process and thereby a recipient of tasks (leads). Further evidence of a call center as a recipient is found in at least Fig. 8 where the employee job title is “Call Center Agent” and the numerous references to CTI (Computer Telephony Integration) which is a means of processing telephone calls used by call centers.)

- *outputting information regarding the sales lead from the lead processing portion to the recipient of the sales lead for access and working of the sales lead by the recipient; (col. 1; lines 52-55: the outputting is inherent in the ability of a sales rep to “effectively respond to potentially revenue-generating opportunities.” Col. 8; lines 26: “server” provides the network environment).*
 - *a plurality of sales leads, (col. 1; lines 56-57: “Proper assignment means objects...sales leads”);*
 - *associating leads in the plurality of leads, which are to be assigned to a call center, with a wave number, the wave number determining the order in which each sales lead in the plurality of sales leads is assigned; (col. 12; lines 2-13 where “Batch ID” (wave number) determines the wave based on the “Object ID” (lead). It is inherent that batches are assigned at different times, therefore resulting in an ordered assignment of the tasks as a result of subsequent batches. In col. 7; lines 56-57, Brodersen discloses assignments scheduled to take place on a periodic basis.)*
43. Brodersen does not explicitly disclose that the wave number determines the order in which the leads are assigned.
44. Business Wire, however, discloses eLeads allows sales teams to “accurately assign, prioritize and route leads from multiple sources to multiple destinations” (para. 7). The term, prioritize, represents the sequential assignment, such as a first assignment followed by a second assignment.
45. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included prioritizing leads, as disclosed by Business Wire, in the system of Brodersen for the motivation of increasing follow-up on leads by getting “the right, qualified leads to the right people at the right time”. (Business Wire; para. 6).
46. Pauliks teaches a method for assigning a priority to a record by querying a priority assignment rules database to match the data in the attribute fields in the rule database with the record. (P[0003]) and any attribute can be included in the rule database. “The rule attributes should be

selected from attributes found in the customer demand files that categorize the demands.” (P[0012]). Thus, Pauliks discloses assigning a priority based on the attributes of the demand record. This is equivalent to associating leads (demand record) with a wave number (priority (P[0013])) in order to determine the order in which the leads will be assigned. Pauliks also teaches that “it is possible to group customers or demand time frames into general categories in terms of prioritization.” (P[0002]). Thus, Pauliks discloses assignment of a priority to a group.

47. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included assigning a priority to a group (i.e., wave), as disclosed by Pauliks, in the system of Business Wire for the motivation of saving priority assignment planner time by grouping the leads. (Pauliks; P[0002]).
48. It also would have been obvious to one of ordinary skill in the art at the time of the invention to have included assigning a priority to a group, as disclosed by Pauliks, in the system of Brodersen for the motivation of getting “the right, qualified leads to the right people at the right time”. (Business Wire; para. 6).
49. Brodersen discloses a maximum workload threshold for individual candidates for task assignment (col. 3; lines 44-46). Brodersen does not disclose applying this threshold (*cap value*) to call center as a criteria for assignment of leads.
50. Casselman discloses setting threshold levels to determine whether calls should be shifted between various call centers based on the telemarketer’s selection as to what percentage of false alarms or false accepts he or she is willing to accept. (col. 2; lines 21-27). In col. 4; lines 3-15, a “call load rate” is used to derive the number of calls that should be offered to meet a performance objective (establishes a *cap value*).
51. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a threshold balancing service level among call centers, as disclosed by Casselman, in the system disclosed by Brodersen, for the motivation of routing leads quickly and seamlessly to the team who are responsible for follow-up such that potentially revenue

generating opportunities are not missed. (Brodersen; col. 1; lines 46-55). Using a workload threshold is a means of controlling the expected response time to a task.

Response to Arguments

1. Applicant's arguments, see pg. 11-13 of the Remarks, filed January 31, 2008, with respect to the rejection(s) of claim(s) 2, 6 and 22 under Brodersen et al. (US Pat. No. 6,850,895) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Brodersen et al. (US Pat. No. 6,850,895) in view of Business Wire ("MarketSoft's eLeads Wins Call Center Solutions Editors' Choice Award". Business/Technology Editors. Business Wire. New York: Aug. 25, 1999. pg. 1) in view of Pauliks et al. (US Pub. No. 2003/0028507).
2. Business Wire, however, discloses eLeads allows sales teams to "accurately assign, prioritize and route leads from multiple sources to multiple destinations". The term, prioritize, represents the sequential assignment, such as a first assignment followed by a second assignment. Pauliks teaches a method for assigning a priority to a record by querying a priority assignment rules database to match the data in the attribute fields in the rule database with the record. Thus, Pauliks discloses assigning a priority based on the attributes of the demand record. This is equivalent to associating leads (demand record) with a wave number (priority) in order to determine the order in which the leads will be assigned. Pauliks also teaches that "it is possible to group customers or demand time frames into general categories in terms of prioritization.". Thus, Pauliks discloses assignment of a priority to a group.
3. Applicant's arguments with respect to claims 1, 3, 4, 12 and 22 were considered, but are not persuasive. The Examiner has clarified the interpretations of the art in the detailed rejections above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabrielle McCormick whose telephone number is (571)270-1828. The examiner can normally be reached on Monday - Thursday (5:30 - 4:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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